(4—196.)

# HOMESTEAD.

## Land Office at Crookston, Minn.

Dec 27, 1888.

FINAL CERTIFICATE, No. 3342

APPLICATION, No. 9861

*It is hereby certified* That, pursuant to the provisions of Section No. 2291, Revised Statutes of the United States, Henry Mentel has made payment in full for

Southwest ¼

of Section No. 10, in Township No. 148 N, of Range No. 45 W, of the 5th Principal Meridian, containing 160 100 acres.

*Now, therefore, be it known,* That on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said Henry Mentel shall be entitled to a Patent for the Tract of Land above described.

H H Dickman

Register.

(3840—12 M.)

Final Certificate No. 6342

Homestead Application No. 9861

# LAND OFFICE

AT

Dec 27, 1888.

Sect. 10, Town. 148, Range 43

Approved December 10, 1889,

H. A. Norton, Clerk,

Division "C"

Patented Mch 28, 1890,

Recorded, Vol. 11, page 86

10-148

(4—140.)

FINAL RECEIVER'S RECEIPT, No. 5342 APPLICATION, No. 9861

# HOMESTEAD.

Receiver's Office, Dec. 27, 1888

Received of Henry Menke the sum of Four dollars — cents, being the balance of payment required by law for the entry of

South West ¼

[illegible] 10 [illegible] in Township 148 N of Range 45 W

containing 160.00 acres, under Section 2291 of the Revised Statutes of the United States.

$ 4.00

[illegible]

Receiver.

(6700—20 M.)

Testimony [illegible]

Claimant's Att'y, [illegible]

charged or collected.

[4—369 *a*.]

# HOMESTEAD, PRE-EMPTION, AND COMMUTATION PROOF.

## TESTIMONY OF CLAIMANT.

**Full and Specific Answers must be given to each Question. Evasive Answers will be Fatal to the Proof.**

Henry Menke, claimant, being first duly sworn, testifies as follows:

Question 1.—What is your correct name, your age, and occupation? If employed by any person, state by whom.

Ans. Henry Menke - age 31 years. not Em- ployed by anyone

Ques. 2.—What is your post-office address?

Ans. Fieldon Rock Co. Minn

Ques. 3.—Are you the identical person who made pre-emption filing No. — (or homestead entry No. 9861) at the Crookston land office on the 20 day of October, 1880, and what is the true description of the land now claimed by you?

Ans. Yes. I am SW¼ sec 10 Twp 148 R. 45

Ques. 4.—Where did you live before settling upon this land, and what was your occupation?

Ans. Clayton Co. Iowa. Farm Laborer

Ques. 5.—Are you a citizen of the United States, or have you declared your intention to become such?

Ans. Native born Citizen of the U.S.

(In case the party is of foreign birth, a copy of his declaration of intention to become a citizen or full naturalization certificate, officially certified, must be filed with the case. The latter is only required in final homestead entries.)

Ques. 6.—Are you interested in any other entry or filing than the one upon which you now seek to make proof?

Ans. No

Ques. 7.—Have you ever made a pre-emption filing for any other tract of land, or made any other homestead entry or filing or entry of any kind? (Answer each question separately, describe the land, and state what disposition you made of your claim.)

Ans. No

Ques. 8.—Is your present claim within the limits of an incorporated town or selected site of a city or town, or used in any way for trade and business?

Ans. No

Ques. 9.—What is the character of the land? Is it timber, mountainous, prairie, grazing, or ordinary agricultural land? State its kind and quality, and for what purpose it is most valuable.

Ans. Prairie lands: valuable for agricultural purposes only

Ques. 10.—Is the land valuable for coal, iron, stone, or minerals of any kind? Has any coal or other minerals been discovered thereon, or is any coal or mineral known to be contained therein? Are there any indications of coal, salines, or minerals of any kind on the land? If so, describe what they are.

Ans. No

Ques. 11.—If the land is timber land, state the kind, quality, and amount of timber thereon at date of initiating your claim, the amount still standing, how much has been cut and removed, and by whom, and whether the same has been disposed of, and to whom; also whether any other person than yourself has any interest in the timber, and if so, what kind of interest.

Ans. No timber

Ques. 12.—If the land is used for grazing purposes, state how and by whom it is so used, and whether it is within any stock range or fence or other inclosure, and who owns or controls the range or inclosure.

Ans. No

Ques. 13.—When did you first make an actual personal settlement on this land? State what you did to make such settlement, and the character and value of the improvements you then placed upon the land.

Ans. Built shanty on first part of March 1884 value $50

Ques. 14.—Was the land occupied by any other person when you made such settlement? If so, state who lived there, and how you obtained possession.

Ans. No

Ques. 15.—When did you actually move on this land and commence living permanently thereon?

Ans. March 2d 1884

Ques. 16.—Where has been your actual personal residence and home during the whole time since the date of this filing or entry?

Ans. On this claim

Ques. 17.—Has your residence on the land now claimed been actual or constructive, continuous or at intervals? Explain what you mean by actual continuous residence.

Ans. Yes actual and continuous I mean that I have lived on this tract and has not had any other residence

Ques. 18.—Have you resided or boarded elsewhere than on this land since commencing your residence thereon? If so, state when and where, how often, and for how long?

Ans. No

Ques. 19.—Where have you voted since establishing residence on this land, and where did you last vote, and how long have you voted there?

Ans. I have voted in Twp 148 R 45 - voted there Nov 6th 1888

Ques. 20.—How many times have you been absent from said tract since you commenced actual residence thereon? Give the dates when each absence commenced and terminated, and the cause therefor.

Ans. I have not been absent except I have worked out some each year to obtain money for my support and improve the land - Have not been absent at any time 6 over two months

Ques. 21.—Have you a family, and of whom does your family consist?

Ans. No I am single

Ques. 22.—Has your family resided with you on this claim? If so, state when they moved on the land, how long they have lived there, and whether they actually reside there still.

Ans. I am single

Ques. 23.—If your family has been absent any part of the time since moving on the land, state the causes for and the dates when each absence commenced and terminated.

Ans. I am single

Ques. 24.— hom was your house built? Is it habitable at all seasons of the year?

Ans. by myself - in March 1884 and habitable at all seasons of the year

Ques. 25.—Did you and your family live in said house during all of each or any winter since the date of your filing or entry? If not, state the duration and causes of each absence.

Ans. I lived on the land most of every winter.

Ques. 26.—If your family has not lived with you on this claim since the date of your filing or entry, state the causes therefor, where they did reside, and where they are now living.

Ans. I am single

Ques. 27.—Do you own any other *residence house* than the one now on your claim? If so, state where, and who occupies the same.

Ans. No

Ques. 28.—Describe fully the house on this claim, giving value thereof; also describe fully all other improvements thereon of whatever kind, giving the value of each and total value of all improvements.

Ans. Frame house 12 + 16 ft 1 story high. shingle roof. floor. 1 door. 1 window - & color $75.00 Sod stable - 14 + 16 ft - $20. 40 ams broken $120. - 1 well about 10 feet $10. some trees planted $20. Total $245

Ques. 29.—What farm implements do you own and use on this claim? State kind and number, and how long you have owned the same.

Ans. 1 Wagon - 1 Plow. 1 Drage -

Ques. 30.—What domestic animals and live stock do you own and keep on this claim? State kind and number of each kind.

Ans. 2 oxen

Ques. 31.—State what articles of furniture of every kind you keep and use in your residence on this claim, and how long you have had them there.

Ans. 1 Cooking. Table - 1 Beds & bedsteads and other necessary household furniture

Ques. 32.—Have you any personal property or live stock of any kind elsewhere than on this claim? If so, describe the same, and state where the same is kept.

Ans. No

Ques. 33.—How many seasons have you raised crops on this land, and what kind of crops have you raised each season?

Ans. 4 seasons - wheat.

Ques. 34.—How many acres have you put in crops each year, and how much did you raise? State the amount in bushels of each kind.

Ans. 1885 - about 12 ams wheat - 1886 5 ams 1887 - 16 ams wheat - 1888 - 27 ams wheat

Ques. 35.—Have you the land in crop this year, or is it prepared for cropping the coming season? How much of the land is so cropped or prepared?

Ans. about 25 ams is ready for cropping

Ques. 36.—Do you carry on any trade, profession, or business elsewhere than on this land? If so, state what business you have been engaged in while claiming this land, where it was carried on, and the distance from your claim.

Ans. No

Ques. 37.—If you have been employed in working for others away from this claim since you established residence thereon, state when, where, and for whom, in what occupation or capacity, how long you have so worked, and where you staid and lived during that time.

Ans. I have worked - out some each year for my neighbors - but slept on the land nearly every week. and stail on the land Sundays - Have so worked out about 4 months each year to earn money for my living

Ques. 38.—Where are you assessed for taxes, personal, real estate, or license, and when and where have you paid taxes since claiming this land?

Ans. I have not been paid any taxes eyet

Ques. 39.—Are the improvements on this land assessed for taxes; if so, at what valuation? Have such taxes been paid; if so, when and by whom?

Ans. Yes

Ques. 40.—What use is made of this land, and who, besides yourself and family, uses it or causes it to be used?

Ans. Used for farming and residence by myself only

Ques. 41.—Have you sold, transferred, or mortgaged this land, or offered or agreed to sell or dispose of it, and at what price?

Ans. No.

Ques. 42.—Do you make this entry in the interest or for the benefit of any one else, or has any person other than yourself and family any interest, immediate or prospective, in this entry? If so, state for whom the entry is made.

Ans. No

Ques. 43.—Has any person paid your expenses for making this entry, or paid you wages or a salary on condition that you make said entry, or agreed to do either, or agreed to pay the entry money for you, or to pay the fees or commissions, with the agreement or understanding that you will deed the land after entry is made?

Ans. No

Ques. 44.—Do you make this entry in good faith, for the exclusive purpose of a home and farm for yourself and family?

Ans. Yes

[Signature of claimant.] Henry Menke

I HEREBY CERTIFY that each question in the foregoing deposition was orally propounded to the said Henry Menke, and the foregoing answers severally given by him thereto before he signed the same and after being sworn according to law; that the said Henry Menke is to me personally known (or satisfactorily identified by O. O. Christiansen) as the person he represents himself to be in making this proof; that I have called his attention to the laws and penalties against false swearing, and that the foregoing deposition was sworn to and subscribed before me this 27th day of December, A. D. 1888.

H H Dickmann

Register

[4—369a.]

TESTIMONY OF CLAIMANT.

Pre. D. S. No. ..... Cash No. .....

Orig. Hd. No. 9861 F. C. No. 5342

NAME OF CLAIMANT,

Henry Menke

LAND OFFICE AT

Crookston, Minn.

Approved:

H H Dickmann, Register.

[illegible], Receiver.

(12878—7,000.) 6—289

# HOMESTEAD, PRE-EMPTION, AND COMMUTATION PROOF.

## TESTIMONY OF WITNESS.

(The testimony of two witnesses, taken separately, in addition to the testimony of claimant, is required in each case.)
(The testimony of witnesses must be taken at the same time and place and before the same officer as claimant's final affidavit.)
The answers must be full and complete to each and every question asked, and officers taking testimony will be expected to make no mistakes in dates, description of land, or otherwise.

Question 1.—What is your true name (christian and surname), given in full, your age, residence, and present post-office address? (Give description of land on which you reside, quarter-section, township, and range.)

Answer. Nils Brink — age 37 years old.
Wz S.E. 1/4 Sec. 12 — 148 — 45 —
Tilden Cook Co. Minn.

Ques. 2.—What is your present occupation, and where and by whom have you been employed since ....., the date of claimant's alleged settlement on said tract?

Ans. Farmer, I have been occupied on my own place.

Ques. 3.—Are you related to claimant or in any way interested in this claim, or are you connected with him in business of any kind?

Ans. No.

Ques. 4.—How far from the residence of claimant, on said tract, do you reside, and how long have you lived there?

Ans. About three miles — about six years.

Ques. 5.—Give the names and residences of two or more persons living nearer to the claimant of this tract than yourself. If none are nearer than you, give the names of two or more next nearest, and state the land on which they reside.

Ans. Ole P. Austad — N.E. 1/4 Sec. 10 — Town 148 Range 45 —
Torsten Mausen S.W. 1/4 Sec. 2 — 148 — 45 —

Ques. 6.—How long have you known Henry Meuske, the claimant, for whom you appear as a witness, where has he been living since you first knew him up to the present time, and is he the identical person he represents himself to be?

Ans. Nearly five Years, He has been living on his land — He is the identical person he claims to be —

Ques. 7.—Are you well acquainted with the land embraced in this claim? Give correct description thereof; also state the extent of your knowledge, and how you know what you affirm.

Ans. Yes, The S.W. 1/4 of Sec. 10 — Town 148 — Range 45 — I have frequently been on the land, and know where the lines run.

Ques. 8.—How often have you been on this tract of land since claimant's alleged settlement thereon, at what time or times, and when did you last see him on the land?

Ans. A great number of times each year, have seen him living there at such times — I saw him there the 26th of Dec. 1888 —

Ques. 9.—Is said tract within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

Ans. No —

Ques. 10.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. Prairie land, valuable for Agricultural purposes — alone,

Ques. 11.—Are there any indications of coal, minerals, or salines on this land?

Ans. No

Ques. 12.—Is it within any stock range or fence or other inclosure? If so, give the names of the parties owning or in any manner controlling such inclosure or range.

Ans. None

Ques. 13.—If the land is timber land, state whether the timber, or any portion thereof, and what portion, if any, has been cut or removed, and by whom?

Ans. There is no timber except what claimant has planted on the land,

Ques. 14.—What is this land used for, and who (if any one) besides the claimant is in any manner interested in or uses or controls the land or claims the timber thereon?

Ans. It is used for a farm and home by claimant.

Ques. 15.—What has been claimant's occupation since you first knew him, and where has he been employed, and by whom?

Ans. Farming on his claim,

Ques. 16.—Has he had any other living or boarding place than on this land during the existence of his present claim? If so, state where he has been living or stopping.

Ans. No — except when he has worked out at times.

Ques.17.—Does claimant's family reside on said land? When did they move thereon? How long have they lived there, and do they still reside thereon? If not, where do they reside?

Ans. He is a single man,

Ques. 18.—Has claimant's family been absent from said land since moving thereon? If so, state how often, how long each time, and the cause of said absence or absences.

Ans. —

Ques. 19.—State in full and in detail all the facts within your knowledge as to claimant's actual residence upon this claim; when and how often you have seen him upon the land; what were the evidences that he actually lived on the tract; how long he has lived there, and whether he lives there now.

Ans. I have been on claimants place many times ✓ each year and at such times have seen him living on his claim, Have seen his buildings and improvements, and his cultivation of the land — He has lived on the land (except when out at work) since March 1884 up to the present time,

Ques. 20.—If claimant has been absent from said land since his alleged settlement, state fully how often, when, how long each time, and for what purpose.

Ans. Claimant has worked out in harvest and threshing each year, Has not been absent over two months at ✓ any time, Has worked for his neighbors to obtain money for his living and to improve his land with.

Ques. 21.—State in detail the character of the improvements; what they consist of, and when they were made; the value of each distinct improvement, fully describing the same; also whether they were made by the claimant or by some other person.

Ans. A one story frame shingle roof house 14X16 ft worth about $75.00 Sod stable 14X16 ft being worth about $20.00 one well $10.00 40 acres broken $120.00 Some trees planted $20.00 The above improvements have been made by the claimant since filing on the land,

Ques. 22.—Give the size, construction, and material of claimant's house on said tract, and also state whether the same is habitable during all seasons of the year.

Ans. A one story frame shingle roof house 14X16 ft with door 1 window & cellar, & is habitable all seasons of the year,

Ques. 23.—What is this land worth, and was it ever offered for sale?

Ans. About $1000.00 Not to my knowledge.

Ques. 24.—When did claimant commence living upon this land?

Ans. On March 1884.

Ques. 25.—How much of said land has been broken, how much plowed since being broken, and how much put into crop each season? State kind of crops raised, their value, and number of seasons crops were raised.

Ans. Forty acres have been broken and 27 acres of it plowed. He has raised crops of wheat 4 seasons, & cannot give the amount of each crop nor the value of the same,

Ques. 26.—Is said land in crops this season, or has it been prepared for cropping the coming season?

Ans. About 25 acres are ready for crop

Ques. 27.—Do you believe that claimant intends to continue his residence on this land after making final proof, or does he intend to remove therefrom?

Ans. I believe he intends to make this claim his home.

Ques. 28.—Does claimant, with his family, reside on said land at the present time? You will explain how you know he has resided there, as you have heretofore stated.

Ans. Claimant lives on the land, I have frequently been on the claim, have exchanged work with claimant, and know from personal observation what I have stated,

Nels Brink

[Signature of witness.]

U. S. LAND OFFICE, Crookston Minn
December 27th, 1888

I HEREBY CERTIFY that Nils Brink personally appeared before me; that he is a credible witness, and is personally known to me (or has been satisfactorily identified before me by C. O. Christianson), and that each question in the foregoing deposition was orally propounded to the said Nils Brink and the foregoing answers severally given by him thereto before he signed the same and after being sworn according to law; that I have called his attention to the laws and penalties against false swearing; and that the foregoing deposition was sworn to and subscribed before me this 27th day of December, A. D. 1888.

L. K. Fasker
~~Register~~ (or Receiver).

## SPECIAL CERTIFICATE.

(To be used in *all cases* when proof is made before a clerk of court or judge of probate.)

} ss:

I, _____ in and for _____, do hereby certify that the claimant _____ and his witnesses _____, _____ in this proof were identified by _____ to be the identical persons named in the published notice herein.

That before proceeding to take the proof and testimony I read to the claimant and to each of the witnesses Section 5392 of the Revised Statutes of the United States and explained to each of them the import and meaning thereof.

That each of the printed questions in the testimony was read to said claimant and to each of said witnesses, and their respective answers thereto were by me reduced to writing and read to each respectively, and was there and then by them subscribed and sworn to before me.

That said proof and affidavits were taken and made between the hours of eight A. M. and six o'clock P. M. on the _____ day of _____, 188 , at my office at _____, in said _____.

That no protest or objection of any kind against said proof has been made or filed in my office by any person.

Given under my hand and official seal this _____ day of _____, 188 .

_____

_____

We hereby certify that the within and foregoing testimony of claimant and witnesses has been carefully examined by us before transmittal to the General Land Office.

H. H. Dickmann
Register.

L. K. Fasker
Receiver.

[4—369 b.]

# TESTIMONY OF WITNESS.

Pre. D. S. No. _____ Cash No. _____

Orig. Hd. No. 9861 F. C. No. 5342

NAME OF CLAIMANT,

Henry Meinke

LAND OFFICE AT

Crookston, Minn.

Approved:

H. H. Dickmann, Register.

L. K. Fasker, Receiver.

(12879—53,500.) 6—430

# HOMESTEAD, PRE-EMPTION, AND COMMUTATION PROOF.

## TESTIMONY OF WITNESS.

(The testimony of two witnesses, taken separately, in addition to the testimony of claimant, is required in each case.)
(The testimony of witnesses must be taken at the same time and place and before the same officer as claimant's final affidavit.)
The answers must be full and complete to each and every question asked, and officers taking testimony will be expected to make no mistakes in dates, description of land, or otherwise.

Question 1.—What is your true name (christian and surname), given in full, your age, residence, and present post-office address? (Give description of land on which you reside, quarter-section, township, and range.)

Answer. Ole P. Austad age 49 years.
N.E. ¼ Sec. 10 – Town 148 – Range 45.
Fildun Polk Co. Minn,

Ques. 2.—What is your present occupation, and where and by whom have you been employed since....., the date of claimant's alleged settlement on said tract?

Ans. Farmer, I have been employed on the above tract,

Ques. 3.—Are you related to claimant or in any way interested in this claim, or are you connected with him in business of any kind?

Ans. No,

Ques. 4.—How far from the residence of claimant, on said tract, do you reside, and how long have you lived there?

Ans. About 120 rods – Have lived there since the fall of 1881.

Ques. 5.—Give the names and residences of two or more persons living nearer to the claimant of this tract than yourself. If none are nearer than you, give the names of two or more next nearest, and state the land on which they reside.

Ans. Frederick Hansen S.W. ¼ Sec. 2 – Town – 148 Range 45 –
Lars Olstad S.E. ¼ Sec, 14 – Town 148, Range 45.

Ques. 6.—How long have you known Henry Wenke, the claimant, for whom you appear as a witness, where has he been living since you first knew him up to the present time, and is he the identical person he represents himself to be?

Ans. Over five years, He has lived on his land, I know him always known him as Henry Wenke – since I got acquainted with him.

Ques. 7.—Are you well acquainted with the land embraced in this claim? Give correct description thereof; also state the extent of your knowledge, and how you know what you affirm.

Ans. Yes. S.W. ¼ Sec 10 – Township No, 148 Range 45 –
I live in the same section and know the discription to be correct,

Ques. 8.—How often have you been on this tract of land since claimant's alleged settlement thereon, at what time or times, and when did you last see him on the land?

Ans. A great number of times each year, as often I cannot give the number, I was over and using timber there + also helped to build

8 Dec, 1888

Ques. 9.—Is said tract within the limits of an incorporated town or selected site of a city or town, or used in any way for trade or business?

Ans. No

Ques. 10.—State specifically the character of this land—whether it is timber, prairie, grazing, farming, coal, or mineral land.

Ans. Prairie land, valuable for farming only.

Ques. 11.—Are there any indications of coal, minerals, or salines on this land?

Ans. No

Ques. 12.—Is it within any stock range or fence or other inclosure? If so, give the names of the parties owning or in any manner controlling such inclosure or range.

Ans. No

Ques. 13.—If the land is timber land, state whether the timber, or any portion thereof, and what portion, if any, has been cut or removed, and by whom?

Ans. There is no timber except what claimant has planted.

Ques. 14.—What is this land used for, and who (if any one) besides the claimant is in any manner interested in or uses or controls the land or claims the timber thereon?

Ans. Farming by claimant, no one else is interested therein.

Ques. 15.—What has been claimant's occupation since you first knew him, and where has he been employed, and by whom?

Ans. Improving his claim most of the time.

Ques. 16.—Has he had any other living or boarding place than on this land during the existence of his present claim? If so, state where he has been living or stopping.

Ans. No- only when out at work.

Ques.17.—Does claimant's family reside on said land? When did they move thereon? How long have they lived there, and do they still reside thereon? If not, where do they reside?

Ans. He is a single man.

Ques. 18.—Has claimant's family been absent from said land since moving thereon? If so, state how often, how long each time, and the cause of said absence or absences.

Ans. —

Ques. 19.—State in full and in detail all the facts within your knowledge as to claimant's actual residence upon this claim; when and how often you have seen him upon the land; what were the evidences that he actually lived on the tract; how long he has lived there, and whether he lives there now.

Ans. Having been on the claim very often, sometimes many times a day - have seen him on the land at such times, Have seen his buildings and improvements, He has lived on the land since March 1884 up to the present time except when off at work.

Ques. 20.—If claimant has been absent from said land since his alleged settlement, state fully how often, when, how long each time, and for what purpose.

Ans. He has been out working a portion of each year, cannot say exactly how much but know he has never been absent six months any year, He has during the time he has been out at work gone back and slept on the land frequently - What he has earned above his living he has spent in improving the land.

Ques. 21.—State, in detail the character of the improvements; what they consist of, and when they were made; the value of each distinct improvement, fully describing the same; also whether they were made by the claimant or by some other person.

Ans. A one story frame shingle roof house 14x16 ft-$50.00 One sod stable 14x16 ft-$10.00 a well $6.00 40 acres broken worth $120.00 Trees planted $20.00 Total $206.00 Said improvements having been made by claimant since filing on the land.

Ques. 22.—Give the size, construction, and material of claimant's house on said tract, and also state whether the same is habitable during all seasons of the year.

Ans. A one story frame shingle roof house 14x16 ft. one door and one window, & it is habitable all seasons of the year.

Ques. 23.—What is this land worth, and was it ever offered for sale?

Ans. $1000.00 Not to my knowledge.

Ques. 24.—When did claimant commence living upon this land?

Ans. In March 1884.

Ques. 25.—How much of said land has been broken, how much plowed since being broken, and how much put into crop each season? State kind of crops raised, their value, and number of seasons crops were raised.

Ans. About 40 acres are broken, and about 25 acres plowed. It has raised wheat for 4 seasons, & cannot give the number of bushels raised, nor the value of the same.

Ques. 26.—Is said land in crops this season, or has it been prepared for cropping the coming season?

Ans. About 25 acres are ready for the next crop.

Ques. 27.—Do you believe that claimant intends to continue his residence on this land after making final proof, or does he intend to remove therefrom?

Ans. I believe he intends to make it his home.

Ques. 28.—Does claimant, with his family, reside on said land at the present time? You will explain how you know he has resided there, as you have heretofore stated.

Ans. Claimant lives on the land. I have been to his place frequently, have seen his improvements, and know from personal observation what I have stated.

Ole P. Austad

[Signature of witness.]

U. S. LAND OFFICE, Crookston Minn.

Dec. 27th, 1888

I HEREBY CERTIFY that Ole P. Onstad, personally appeared before me; that he is a credible witness, and is personally known to me (or has been satisfactorily identified before me by C. O. Christianson), and that each question in the foregoing deposition was orally propounded to the said Ole P. Onstad and the foregoing answers severally given by him thereto before he signed the same and after being sworn according to law; that I have called his attention to the laws and penalties against false swearing; and that the foregoing deposition was sworn to and subscribed before me this 27th day of December, A. D. 1888.

H H Dickmann
Register (~~or Receiver~~).

## SPECIAL CERTIFICATE.

(To be used in *all cases* when proof is made before a clerk of court or judge of probate.)

..... } ss:
.....

I, ..... in and for ....., do hereby certify that the claimant ..... and his witnesses ....., ..... in this proof were identified by ..... to be the identical persons named in the published notice herein.

That before proceeding to take the proof and testimony I read to the claimant and to each of the witnesses Section 5392 of the Revised Statutes of the United States and explained to each of them the import and meaning thereof.

That each of the printed questions in the testimony was read to said claimant and to each of said witnesses, and their respective answers thereto were by me reduced to writing and read to each respectively, and was there and then by them subscribed and sworn to before me.

That said proof and affidavits were taken and made between the hours of eight A. M. and six o'clock P. M. on the ..... day of ....., 188 , at my office at ....., in said .....

That no protest or objection of any kind against said proof has been made or filed in my office by any person.

Given under my hand and official seal this ..... day of ....., 188 .

.....

.....

We hereby certify that the within and foregoing testimony of claimant and witnesses has been carefully examined by us before transmittal to the General Land Office.

H H Dickmann
Register.

L K Foster
Receiver.

[4—369.b.]

# TESTIMONY OF WITNESS.

Pre. D. S. No. ..... Cash No. .....

Orig. Hd. No. 9861 F. C. No. 3342

NAME OF CLAIMANT,

Henry Meeuke

LAND OFFICE AT

Crookston, Minn.

Approved:

H H Dickmann, Register.

L K Foster, Receiver.

(12879—53,500.) 6—430

[4—138.]

Receiver's Duplicate Receipt No. 9861 Application No. 9861

5342

# HOMESTEAD.

Receiver's Office, Crookston

Oct 25, 1883

RECEIVED of Henry Menke the sum of Fourteen dollars ——— cents; being the amount of fee and compensation of Register and Receiver for the entry of SW 4 of Section 10 in Township 148 N of Range 45 W., under Section 2290, Revised Statutes of the United States.

O C Stevens

Receiver.

$14 00

NOTE.—It is required of the homestead settler that he shall reside upon and cultivate the land embraced in his homestead entry for a period of five years from the time of filing the affidavit, being also the date of entry. An abandonment of the land for more than six months works a forfeiture of the claim. Further, within two years from the expiration of the said five years he must file proof of his actual settlement and cultivation, failing to do which, his entry will be canceled. If the settler does not wish to remain five years on his tract, he can, at any time after six months, pay for it with cash or land warrants, upon making proof of settlement and cultivation from date of filing affidavit to the time of payment.

[10,264—100 M.]

Land Office at Crookston, Minn.,
Oct. 19, 1888

Notice is hereby given that the following-named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the U. S. Land Office at Crookston, Minn., on Dec. 27. 1888, viz: HENRY MENKE, H E 9861, for the SW ¼ Sec 10, Tp 148 R 45.

He names the following witnesses to prove his continuous residence upon, and cultivation of, said land, viz: Ole P. Onstad, Nils Brink, Lars Olstad, George Kingsbury, all of Tilden, Polk Co., Minn.

Any person who desires to protest against the allowance of such proof, or who knows of any substantial reason, under the law and the regulations of the Interior Department, why such proof should not be allowed, will be given an opportunity at the above mentioned time and place to cross-examine the witnesses of said claimant, and to offer evidence in rebuttal of that submitted by claimant.

H. H. DICKMANN, Register.

*State of Minnesota,* }
COUNTY OF POLK, } ss.

Annie J, Sibley, of said County and State, being first duly sworn deposes and says that she is the Printer and Publisher of The FERTILE JOURNAL, a weekly newspaper regularly printed and published at Fertile, Polk County, Minnesota, and has been such during all the time hereinafter mentioned.

That the notice of Final Proof
a copy of which is hereto attached, is a true copy of the published Notice, and the same was correctly printed and published in the regular and entire issue of every number of said newspaper, once in each week for a period of six consecutive weeks, commencing on the 25 day of Oct. 1888, and ending on the 29 day of Nov. 1888

Annie J. Sibley

Subscribed and sworn to before me
this 1st day of Dec. 1888

John A Holler
Notary Public, Polk Co., Minn.

*attached, was by me posted in a conspicuous place in my office for a period of thirty days, I having first posted said notice on the 19" day of Oct, 1888.*

H H Dickmann
Register.

o 6—008 (8439—40 M.)

# CERTIFICATE AS TO POSTING OF NOTICE.

Land Office at Crookston, Minn.

Dec 27, 1888.

I, H. H. Dickman, Register, do hereby certify that a notice, a printed copy of which is hereto attached, was by me posted in a conspicuous place in my office for a period of thirty days, I having first posted said notice on the 19th day of Oct, 1888.

H. H. Dickman

Register.

o 6—008 (8439—40 M.)

(4—070.)

# HOMESTEAD PROOF.

## Final Affidavit Required of Homestead Claimants.

*SECTION 2291 OF THE REVISED STATUTES OF THE UNITED STATES.*

I, Henry Menke, having made a Homestead entry of the SW¼ Section No. 10 in Township No. 148 of Range No. 45, subject to entry at Crookston Minn., under section No. 2289 of the Revised Statutes of the United States, do now apply to perfect my claim thereto by virtue of section No. 2291 of the Revised Statutes of the United States; and for that purpose do solemnly swear that I am a citizen of the United States; that I have made actual settlement upon and have cultivated said land, having resided thereon since the 28th day of March, 1884 to the present time; that no part of said land has been alienated, except as provided in section 2288 of the Revised Statutes, but that I am the sole *bona fide* owner as an actual settler; that I will bear true allegiance to the Government of the United States; and further, that I have not heretofore perfected or abandoned an entry made under the homestead laws of the United States.

Henry Menke

I, L. K. Aaker Receiver, of the Land Office at Crookston Minn, do hereby certify that the above affidavit was subscribed and sworn to before me this 27th day of Dec., 188 8.

L K Aaker

Receiver

(3837—10 M.)

# Final Homestead Affidavit.

UNDER SECTION 2291, R. S.

Application No. 9861

Final Certificate No. 5342

Land Office at .....

Dec 27, 1888.

(4—137.)

RECEIVER'S RECEIPT, No. 9861 APPLICATION, No. 9861

# HOMESTEAD.

Receiver's Office, Crookston, Minn

Oct 25, 1883

Received of Henry Menke the sum

of Fourteen dollars ——— cents;

being the amount of fee and compensation of Register and Receiver for the

entry of

South West 4

of Section 10 in

Township 148 N of Range 45 W, under

Section No. 2290, Revised Statutes of the United States.

O C Stetler

Receiver.

$ 14.00

NOTE.—It is required of the homestead settler that he shall reside upon and cultivate the land embraced in his homestead entry for a period of five years from the time of filing the affidavit, being also the date of entry. An abandonment of the land for more than six months works a forfeiture of the claim. Further, within two years from the expiration of the said five years he must file proof of his actual settlement and cultivation, failing to do which, his entry will be canceled. If the settler does not wish to remain five years on his tract, he can, at any time after six months, pay for it with cash or land warrants, upon making proof of settlement and cultivation from date of filing affidavit to the time of payment.

☞ See note in red ink, which Registers and Receivers will read and EXPLAIN THOROUGHLY to persons making application for lands where the affidavit is made before either of them.

Timber land embraced in a homestead, or other entry not consummated, may be cleared in order to cultivate the land and improve the premises, *but for no other purpose.* If, after clearing the land for cultivation, there remains more timber than is required for improvement, there is no objection to the settler disposing of the same. But the question whether the land is being cleared of its timber *for legitimate purposes* is a question *of fact* which is liable to be raised at any time. If the timber is cut and removed *for any other purpose* it will subject the entry to cancellation, and the person who cut it will be *liable to civil suit* for recovery of the value of said timber, *and also to criminal prosecution* under Section 2461 of the Revised Statutes.

ELECTRO'S. [10,263—75 M.]

[4—063.]

# HOMESTEAD.

[AFFIDAVIT.]

## Land Office at Brookston Minn

Oct 25th, 1883

I, Henry Menke, of Polk Co Minn

having filed my application, No. 9861, for an entry under Section No. 2289, Revised Statutes of the United States, do solemnly swear that I am over 21 years of age and a citizen of the United States

that said application, No. 9861, is made for the purpose of actual settlement and cultivation; that said entry is made for my own exclusive benefit, and not directly or indirectly for the benefit or use of any other person or persons whomsoever; and that I have not heretofore had the benefit of the homestead laws.

Henry Menke

Sworn to and subscribed this 25th day of Oct 1883, before

Receiver of the Land Office.

NOTE.—If this affidavit be acknowledged before the Clerk of the Court, as provided for by Sec. 2294, U. S. Revised Statutes, the Homestead party must expressly state herein that he or some member of his family is residing upon the land applied for, and that *bona fide* improvement and settlement have been made. He must also state why he is unable to appear at the Land Office.

ELECTRO'S. [10,744—44,000.]

☞ See note, which Clerks of the Courts and Registers and Receivers will read and EXPLAIN THOROUGHLY to persons making application for lands where the affidavit is made before either of them. (See directions to Land Officers on Duplicate Receipt.)

Timber land embraced in a homestead, or other entry not consummated, may be cleared in order to cultivate the land and improve the premises, *but for no other purpose*. If, after clearing the land for cultivation, there remains more timber than is required for improvement, there is no objection to the settler disposing of the same. But the question whether the land is being cleared of its timber *for legitimate purposes* is a question *of fact* which is liable to be raised at any time. If the timber is cut and removed *for any other purpose* it will subject the cutter to cancellation, and the person who cut it will be *liable to civil suit* for recovery of the value of said timber, *and also to criminal prosecution* under Section 2461 of the Revised Statutes.

[4—007.]

# HOMESTEAD.

APPLICATION No. 9861

Land Office at Crookston Minn

Oct 25th, 1883

I, Henry Menke, of Polk Co Minn, do hereby apply to enter, under Section 2289, Revised Statutes of the United States, the South West 1/4 of Section 10, in Township 148 N of Range 45 W, containing 160 acres.

Henry Menke

Land Office at Crookston Minn

Oct 25th, 1883

I, John Grant, REGISTER OF THE LAND OFFICE, do hereby certify that the above application is for Surveyed Lands of the class which the applicant is legally entitled to enter under Section 2289, Revised Statutes of the United States, and that there is no prior valid adverse right to the same.

John Brown

Register.

[10,258—100 M.]

+

No 9861

HOMESTEAD APPLICATION.

Henry Menke
Crookston, Minn.
Oct 25th, 1883

Sect. 10, Town. 148, Range 45

Conflict 76-2080

See to R and R Oct 24-1885
Held for cancellation
JMR

10-148